

4-303. Motion for judgment on the pleadings.

[For use with Rules 2-303, 3-303 NMRA in the Magistrate and Metropolitan Courts]

STATE OF NEW MEXICO

COUNTY OF _____
_____ COURT

_____, Plaintiff

v.

No. _____

_____, Defendant

MOTION FOR JUDGMENT ON THE PLEADINGS

(Plaintiff) (Defendant) asks the court to enter judgment against the other party based on the pleadings on file in this cause for the following damages, costs and fees:

Damages _____ \$ _____

Attorney fee (*if allowable*) _____ \$ _____

Interest (*if allowable*) _____ \$ _____

Filing fee _____ \$ _____

Service fee _____ \$ _____

Return fee _____ \$ _____

Witness fees _____ \$ _____

Total Judgment _____ \$ _____

_____, _____ (*date*)

(Plaintiff) (Defendant)

(A copy of this motion must be served on the other party or the attorney for the other party not less than eight (8) days before the time fixed for the hearing.)

CERTIFICATE OF SERVICE²

I hereby certify that on this ____ day of _____, _____ this _____

(insert paper served, such as "answer" or "notice") was

[mailed by United States first class mail, postage prepaid, and addressed to:

Name: _____

Address: _____

City, State _____

and zip code: _____]

[faxed by _____ (name of person who faxed document) to
_____ (name of recipient) at _____ (telephone number).

The transmission was reported as complete. The time and date of the transmission was
_____ (a.m.) (p.m.) on _____ (date).]

[e-mailed to _____ (name of party or attorney) at _____

(electronic mail address of recipient) upon agreement of the party to accept electronic
service. The transmission was reported as complete. The time and date of the transmission

was _____ (p.m.) (a.m.) on _____ (date).]

[delivered to _____ (Specify how service by delivery was made.

See Use Note 1 for the methods service may be made using this alternative)

_____.:]

Signature of person sending paper

Date of signature

USE NOTES

1. This Answer must be filed with the court on or before the date set in the Summons.
2. This request must be served on all other parties pursuant to Rule 2-203 NMRA or Rule 3-203 NMRA. See also Rule 2-307 NMRA for how motions are presented to the court.

[As amended, effective October 1, 1987; as amended, effective January 1, 1995; as amended by Supreme Court Order 05-8300-05, effective March 21, 2005.]